



Crl.O.P.No.21644 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21644 of 2025

1.Sharukhan

2.Kanagaraj

... Petitioners/Accused

Vs.

The State Rep.by,
The Inspector of Police,
Perumanallur Police Station,
Tiruppur.
(Cr.No.314 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending investigation in Crime No.314 of 2025 on the file of the Inspector of Police, Perumanallur Police Station, Tiruppur.

For Petitioners : Mr.P.Thinesh

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 20.06.2025, for the offence punishable under Section 308(5) of BNS in Crime No.314 of 2025, registered on the file of the respondent, seeks bail.



Crl.O.P.No.21644 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner along with other co-accused alleged to have extorted two mobile phones and a car from the de-facto complainant. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case. He further submits that the first petitioner is concerned, one previous case is pending against him. The co-accused had already been granted bail by this Court.

5. Heard both sides and perused the materials available on record.



CrI.O.P.No.21644 of 2025

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6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on them executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Avinashi** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of 30 days and thereafter as and when required.**

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;



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CrI.O.P.No.21644 of 2025

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

01.08.2025

nvi



CrI.O.P.No.21644 of 2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate, Avinashi
- 2.The Inspector of Police,
Perumanallur Police Station,
Tiruppur.
- 3.The Central Prison, Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.21644 of 2025

M.NIRMAL KUMAR, J.

nvi

CrI.O.P.No.21644 of 2025

01.08.2025